

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
MILAN PATEL
5775 MORFHOUSE DRIVE
SAN DIEGO, CA 92121-1714

PCT

WRITTEN OPINION

(PCT Rule 66)

Date of Mailing
(day/month/year) 25 OCT 2006

Applicant's or agent's file reference

REPLY DUE

within 2 months/days from
the above date of mailing

030135WO

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US03/40414

17 December 2003 (17.12.2003)

18 December 2002 (18.12.2002)

International Patent Classification (IPC) or both national classification and IPC

IPC: H04L 12/66, 12/28

USPC: 370/401, 352, 420

Applicant

QUALCOMM INCORPORATED

- 1 This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority
- 2 This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability: situations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 18 April 2005 (18.04.2005)

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WRITTEN OPINION

International application No.

PCT/US03/40414

1. Basis of the opinion

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 - pages 1-26 _____, as originally filed
 - pages NONE _____, filed with the demand
 - pages NONE _____, filed with the letter of _____
- ☒ the claims:
 - pages 27-33 _____, as originally filed
 - pages NONE _____, as amended (together with any statement) under Article 19
 - pages NONE _____, filed with the demand
 - pages NONE _____, filed with the letter of _____
- ☒ the drawings:
 - pages 1-15 _____, as originally filed
 - pages NONE _____, filed with the demand
 - pages NONE _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 - pages NONE _____, as originally filed
 - pages NONE _____, filed with the demand
 - pages NONE _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE _____
- ☒ the claims, Nos. NONE _____
- ☒ the drawings, sheets/fig NONE _____

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

WRITTEN OPINION

International application No
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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

I. STATEMENT

Novelty (N)	Claims 30-33	YES
	Claims 1-29	NO
Inventive Step (IS)	Claims 30-33	YES
	Claims 1-29	NO
Industrial Applicability (IA)	Claims 1-33	YES
	Claims NONE	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-29 lack novelty under PCT Article 33(2) as being anticipated by Carlsson (WO 01/10080 A2).

In claims 1-29, Carlsson discloses a method of wireless communication comprising monitoring a first network (monitoring packet switch network 20) in accordance with a first air interface (SGSN 22); and receiving a message (receiving a notification message) from a second network (circuit switched network 30) through the first air interface (SGSN 22), the second network (the circuit switched network 30) being associated with a second air interface (associated with gateway 34) different from the first air interface (gateway 34 is different from SGSN 22). See Abstract and fig.1.

Claims 30-33 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest transmitting from the subscriber station to a second base station controller a request for an identifier to support communications with a packet switches network after the subscriber station moves into the second geographic region.

NEW CITATIONS

NONE

WRITTEN OPINION

International application No.
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Supplemental Box

To be used when the space in any of the preceding boxes is not sufficient)

TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended, 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.